

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARIYAM AKMAL,

Plaintiff,

v.

GLOBAL SCHOLAR, et al.,

Defendants.

CASE NO. C14-1859JLR

ORDER GRANTING IN PART  
AND DENYING IN PART  
PLAINTIFF'S MOTION FOR AN  
EXTENSION OF TIME IN  
WHICH TO EFFECT SERVICE

**I. INTRODUCTION**

Before the court is pro se Plaintiff Mariyam Akmal's motion for an extension of time in which to effect service on the defendants in this action. (Mot. (Dkt. # 6).) Having reviewed the motion, the balance of the record, and the relevant law, the court denies Ms. Akmal's requested extension but grants a more limited extension as described below.

## II. BACKGROUND

On December 8, 2014, Ms. Akmal filed a motion for leave to proceed in forma pauperis (“IFP”) and a proposed complaint. (IFP Mot. (Dkt. # 1); *id.* Ex. 1.) The next day, United States Magistrate Judge James P. Donohue granted Ms. Akmal’s motion for IPS status (IFP Order (Dkt. # 3)), and Ms. Akmal filed her complaint against Defendants Global Scholar (“Global”) and Craig Chesser (Compl. (Dkt. # 4)). The complaint alleges “interference with a contractual relationship[,] including an employment or housing contract” in violation of 42 U.S.C. § 1981; “religious, racial, gender and age discrimination” in violation of Title VII, 42 U.S.C. § 2000e; “unfair employment inquiries” in violation of RCW 49.60.180(4) and RCW 49.60.200; and “retaliation for engaging in protected activity in connection with complaints filed [and] the Plaintiff’s participation in the ongoing civil rights investigations with the [Washington] Human Rights Commission [and] the [Equal Employment Opportunity Commission] which continue to date and involve the Defendant(s) [sic] as well as other Defendants not yet named.” (*Id.* at 2.) Ms. Akmal further claims that Defendants’ actions created a hostile work environment and caused her “to suffer harm in the form of numerous specific lost, withheld or denied job opportunities[.]” (*Id.* at 3.)

On April 2, 2015, Ms. Akmal filed her motion for an extension of time. The motion requests “an additional 120 days in which to [e]ffect service upon the Defendants and to correct the caption in order to correctly identify the names of all of the defendant(s) [sic].” (Mot. at 1.) The basis for this request is that Ms. Akmal “has recently acquired the services of an attorney who may be able to help and/or represent

1 her, but the attorney has not had sufficient time in which to adequately review her case.”  
2 (*Id.*) Ms. Akmal’s motion is now before the court.

### 3 III. DISCUSSION

4 Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served  
5 within 120 days after the complaint is filed, the court—on motion or on its own after  
6 notice to the plaintiff—must dismiss the action without prejudice against that defendant  
7 or order that service be made within a specified time. But if the plaintiff shows good  
8 cause for the failure, the court must extend the time for service for an appropriate  
9 period.” Fed. R. Civ. P. 4(m). Ms. Akmal filed her complaint on December 9, 2014.  
10 (*See Compl.*) As such, she must complete service by April 8, 2015, unless she shows  
11 good cause for failing to do so. *See* Fed. R. Civ. P. 4(m). She asks for an additional 120  
12 days because she has recently retained an attorney who requires more time to review her  
13 case. (*See Mot.* at 1.)

14 The court finds that allowing Ms. Akmal’s recently retained counsel further time  
15 to review her case constitutes good cause for a modest extension of 30 days. Ms.  
16 Akmal’s complaint alleges employment discrimination and suggests that the allegedly  
17 offending entities and individuals are likely her former colleagues, supervisors, or  
18 employers. (*See Compl.* at 2-3.) A 30-day extension should provide ample time for Ms.  
19 Akmal’s new counsel to review the case, identify additional defendants, and effect  
20 service. A 120-day extension, on the other hand, would double the normal period for  
21 service and could result in an approximately eight-month delay between the filing of the  
22 complaint and service on the defendants. Ms. Akmal has not demonstrated good cause

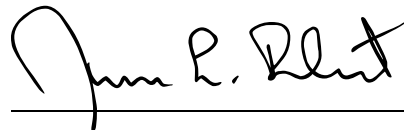
1 for such a long extension of the already considerable period for service that Federal Rule  
2 of Civil Procedure 4(m) provides.

3 Accordingly, the court denies Ms. Akmal's request for a 120-day extension of the  
4 time for service but grants a limited extension of 30 days. Ms. Akmal must therefore  
5 complete service by May 8, 2015. If she fails to do so, the court will dismiss—on its own  
6 initiative and without prejudice—the claims against any named defendant that Ms. Akmal  
7 has not yet served. *See* Fed. R. Civ. P. 4(m). Furthermore, the court notes that it is not  
8 inclined to grant additional extensions of this deadline absent a detailed and persuasive  
9 demonstration of good cause.

#### 10 IV. CONCLUSION

11 For the foregoing reasons, the court GRANTS in part and DENIES in part Ms.  
12 Akmal's motion for an extension (Dkt. # 6) and GRANTS Ms. Akmal an additional 30  
13 days in which to effect service. In addition, the court gives NOTICE to Ms. Akmal under  
14 Federal Rule of Civil Procedure 4(m) that the court will dismiss without prejudice the  
15 claims against any named defendant that Ms. Akmal has not served by May 8, 2015.

16 Dated this 6th day of April, 2015.

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19 JAMES L. ROBART  
20 United States District Judge  
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